

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

SAMUEL DAVID RIVERA GUADALUPE  
JANET EILEEN NIEVES MELENDEZ

DEBTOR(S)

CASE NO. **19-01047-MCF**

CHAPTER 13

**TRUSTEE'S OBJECTION TO CLAIM NUMBER 05**  
**FILED BY FIDEICOMISO HERNANDEZ CASTRODAD POC 9**  
**NOTICE AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

COMES NOW, Alejandro Oliveras Rivera, Chapter 13 Trustee, who most respectfully, STATES and PRAYS as follows:

1. On March 8, 2019, claim number 05 was filed by FIDEICOMISO HERNANDEZ CASTRODAD POC 9 in the amount of \$56,160.00. The Trustee objects to this claim under the following grounds:

- The aforementioned claim fails to provide a copy of the writing on which it is based and that should be filed therewith as required by FBRP 3001(c)(1).

2. The "Servicemembers Civil Relief Act" affidavit is not necessary since claimant is not an individual. LBR 3007-1 and 9013-1(c)(4).

WHEREFORE, for the reasons stated above, it is respectfully requested from this Honorable Court to **disallow** the aforementioned claim.

Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the clerk's office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice

requires otherwise. If you file a timely response, the court may schedule a hearing.

CERTIFICATE OF SERVICE: I hereby certify that on this date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends notification of such filing to all those who in this case have registered for receipt of notice by electronic mail. I further certify that the foregoing has been served to U.S. Trustee at ustpreion21.hr.ecf@usdoj.gov and by depositing true and correct copies thereof in the United States Mail, postage prepaid, to the non ECF/CM participants: debtor(s), debtor's attorney, **FIDEICOMISO HERNANDEZ CASTRODAD POC 9, HC 06 BOX 72502, CAGUAS, PR 00725-9511** and parties in interest that have filed notices of appearance, included in the service list attached to the original hereof.

RESPECTFULLY SUBMITTED

In San Juan, Puerto Rico, this 15<sup>th</sup> day of March, 2018.

/s/ALEJANDRO OLIVERAS RIVERA

ALEJANDRO OLIVERAS RIVERA  
CHAPTER 13 TRUSTEE  
PO BOX 9024062  
SAN JUAN PR, 00902-4062  
PHONE: 787-977-3500  
FAX: 787-977-3521  
CCC-SVR

The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail or electronically sent to the parties listed below:

FIDEICOMISO HERNANDEZ CASTRODAD POC 9

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